IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Bail Appl..No. 5646 of 2007()

CRIME NO. 582/07 OF KASARAGOD POLICE STATION
CMP.4261/2007 of J.M.F.C.,KASARAGOD

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PETITIONERS/ACCUSED 1 & 2

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1. V.SUDHAKARAN, S/O.MUTHU NAIR,
AGED 38 YEARS, KAKKANDAM,
KOLIYADUKAM, PERUMBALA VILLAGE.

2. A.PRAKASAN, S/O.V.RAGHAVAN,
AGED 26 YEARS, VATAKKU VEEDU,
KAKKANDAM, PERUMBALA VILLAGE.

BY ADV. SRI.KODOTH SREEDHARAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5642 of 2007

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Dated this the 19th day of September, 2007

O R D E R

Application for regular bail. The petitioners face allegations for offences punishable inter alia, under Sections 326 and 307 r/w. 34 I.P.C. The alleged incident took place on 31.8.2007. The rival groups owed allegiance to C.P.I and C.P.M. The petitioners, who belonged to C.P.I. were arrested on 5.9.2007. Dangerous weapons were used and grievous hurt/fracture was caused to the victims. The petitioners continue in custody from 5.9.2007.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and appropriate conditions are imposed in the interests of the law and order situation in the locality and I am satisfied that the petitioners can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall not be released from custody on the strength of this order prior to 27.9.2007. The police shall in the meantime make every endeavour to complete the investigation.

(b) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) They shall make themselves available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(d) The petitioners shall not during the said period of two months enter the jurisdiction of Kasargode police station, without the prior permission of the learned Magistrate, except for the purpose of complying with condition No.(c) above.

(R. BASANT)
Judge

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